



10/20/2003

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under
37 C.F.R. 1.53(b))

Attorney Docket No.

1733.1001-017

First Named Inventor or
Application Identifier

Stephen E. Zale

Express Mail Label No.

EV 214950363 US

Title of
Invention

COMPOSITION FOR SUSTAINED RELEASE OF NON-AGGREGATED ERYTHROPOIETIN

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application, P.O. Box 2327,
Arlington, VA 22202

1. ☐ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification **Total Pages [32]**
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) **Total Sheets [4]**
☐ Fig. of the Drawings for Publication ☐
☒ No Figure to be Published
4. ☒ Oath or Declaration **Total Pages [3]**
- a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 C.F.R. 1.63(d))
(for continuation/divisional with Box 17 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

6. ☐ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☐ Computer Readable Form
 - b. ☐ Paper Copy (identical to computer copy)
☐ Pages
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & documents)
☒ Assignee - Alkermes Controlled Therapeutics, Inc.
 Cambridge, MA
8. ☐ Power of Attorney ☐ 37 C.F.R. 3.73(b) Statement
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard
13. ☐ Small Entity Statement(s)
- 14a. ☐ Foreign Priority Claim under 35 U.S.C. §119 or 365
- 14b. ☐ Certified Copy of Priority Document(s)
15. ☐ Nonpublication Request (check parent application)
16. ☒ Other Remarks Letter

17. If a CONTINUING APPLICATION, check appropriate box; supply the requisite information.

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 10/094,953

Prior application information: Examiner: R. Lovering

Group Art Unit: 1712

The entire disclosure of the prior application is considered a part of the disclosure of the accompanying application and is hereby incorporated by reference.
(Add standard Related Applications section with incorporation by reference to specification or update same)

18. CORRESPONDENCE ADDRESS

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Submitted by Typed or Printed Name	Susan M. Abelleira	Reg. Number	42,252

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Stephen E. Zale, Paul A. Burke, Howard Bernstein and Avram Brickner

Continuation Application of

Application No.: 10/094,953

Filed: March 7, 2002

For: Composition for Sustained Release of Non-Aggregated Erythropoietin

Date: 10-20-03

EXPRESS MAIL LABEL NO. EV 214950303 US

REMARKS

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The above-captioned application is a continuation of application number 10/094,953 filed on March 7, 2002 to which priority is claimed under 35 U.S.C. §120.

The related applications paragraph has been revised to include a specific reference to the parent application.

Pursuant to 37 C.F.R. 1.63(d)(4), please note that a Notice of Change of Correspondence Address was submitted in related Application No. 09/274,842. Please send all correspondence in the above-identified continuation application to: Customer No. 021005; Hamilton, Brook, Smith & Reynolds, P.C., 530 Virginia Road, P.O. Box 9133, Concord, Massachusetts 01742-9133. In addition, please direct all telephone calls to David E. Brook, Esq. at (978) 341-0036, and all facsimile communications to (978) 341-0136.

Respectfully submitted,
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Dated: October 20, 2003